



SUSANA MARTINEZ
Governor

JOHN A. SANCHEZ
Lieutenant Governor

NEW MEXICO
ENVIRONMENT DEPARTMENT

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RYAN FLYNN
Cabinet Secretary

BUTCH TONGATE
Deputy Secretary

MEMORANDUM

DATE: May 6, 2016

TO: Holland Shepherd, Program Manager, Mining Act Reclamation Program

FROM: Larry Shore, Mining Environmental Compliance Section (MECS)
Neal Schaeffer, Surface Water Quality Bureau
Neal Butt, Air Quality Bureau

THROUGH: Jeff Lewellin, Mining Act Team Leader, MECS

RE: **NMED Comments, CR Minerals Company, Rocky Mountain Mine, Updated Closeout Plan, MMD Permit No. RA004RE, Modification 16-1**

The New Mexico Environment Department (NMED) received correspondence from the Mining and Minerals Division (MMD) on April 4, 2016 requesting NMED review and provide comments on the above referenced MMD permitting action. The modification is a request to change the closeout plan. MMD requested comments within 30 days of receipt in accordance with Section 19.10.5.506.E NMAC. NMED has the following comments:

Background

The Rocky Mountain Mine (RMM) is a pumicite mine that is located in Sections 33 & 34, T21 N, R7E Rio Arriba County, New Mexico. The areal extent of the mine is approximately 349 acres. Historically, pumicite overburden has been stripped and placed in overburden stockpiles prior to the extraction of the pumice product. In this proposed modification, pumicite overburden will be stripped, loaded into haul trucks, and sold as aggregate rather than being stockpiled.

Air Quality Bureau

The Air Quality Bureau comments are attached under separate letterhead.

Surface Water Quality Bureau

The Surface Water Quality Bureau has no comments at this time.

Ground Water Quality Bureau

Personnel from MECS performed an assessment of the mine in April, 2011. Comments were provided to MMD in correspondence dated April 12, 2012 relative to the exploration phase of pumice mining in Sections 33 and 34. Outcrops of the volcanic pumice deposit were observed during the assessment. At that time, there was no visual evidence indicating that the deposit contained or was likely to contain minerals with the potential to generate water contaminants. One ground water well (RG-228348) located proximal to the permit area indicates ground water is present at a depth of approximately 790 feet below ground surface. Based on MECS review of the information contained in permit modification 16-1, the proposed modification to RA004RE is unlikely to result in any appreciable impacts to ground water quality beneath or downgradient from the mine site, provided that closure of the mine is completed as described in the permit application.

NMED Summary Comment

The activities described in the proposed modification should have no adverse impacts to the environment once completed.

If you have any questions, please contact Jeff Lewellin at (505) 827-1049.

cc: Trais Kliphuis, Division Director, NMED-WPD
James Hogan, Bureau Chief, SWQB
Richard Goodyear, Bureau Chief, AQB
Fernando Martinez, Division Director, EMNRD-MMD
Davena Crosley, Permit Lead, EMNRD-MMD
Kurt Vollbrecht, Program Manager, MECS



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Ryan Flynn
Cabinet Secretary

Butch Tongate
Deputy Secretary

MEMORANDUM

DATE: April 27, 2016

TO: Jeff Lewellin, Mining Act Team Leader
Mining Environmental Compliance Section, Ground Water Quality Bureau

FROM: Neal Butt, Environmental Scientist & Specialist
Air Quality Bureau

RE: Request for Comments, CR Minerals Company, LLC, Rocky Mountain Mine,
Rio Arriba County, Updated Closeout Plan, Modification 16-1
MMD Permit No. RA004RE

The New Mexico Air Quality Bureau (AQB) has completed its review of the above mentioned mining project. Pursuant to the New Mexico Mining Act Rules, the AQB has the following comments:

Air Quality Permitting History

The AQB issued a General Construction Permit (GCP-2-2307M2) for the associated quarrying / crushing / screening facility on March 5, 2012.

The AQB has previously commented on the Rocky Mountain Pumice Mine. On November 1, 2010, CR Minerals Company, LLC (CRM) applied for a permit modification to expand the existing mining operation by 6.1 acres, 4.4 acres of which were to be actively mined. The applicant proposed to divide area into four cells; and after finishing mining one cell, filling it and reclaiming it before starting the next cell. Mined pumice was not to be processed on the mining site. The AQB also commented on two separate requests for release of financial assurance for reclaimed sections of the mine; once on December 12, 2012 without objection, and again on September 15, 2014 without objection, for a second partial release of financial assurance and a modification of their permit, for reclamation activities.

Details

CRM is entering into a contract with the Bureau of Land Management (BLM), Taos Field Office (TFO) to extract and sell overburden aggregate consisting of pumicite from the Rocky Mountain Mine. CRM owns neither the surface, nor the minerals of the BLM-East and BLM-West tracts. The BLM TFO administers both the surface resources and the minerals of both tracts which comprise the majority of the mine. The majority of the project area is within Section 34, T 21 N., R 7 E., but also a portion of Lot 13, Section 33, T 21 N., R 7 E.

Historically, pumicite overburden has been stripped and placed in overburden stockpiles prior to the extraction of the pumice product. In this proposed modification, pumicite overburden would be stripped, loaded into haul trucks, and sold as aggregate rather than being stockpiled. The top 9 inches of soil would be scraped and discretely stockpiled separate from the remaining 6-8 feet of soil-stained or weathered overburden, then interim seeded. Approximately 30-35 feet of the unstained or virgin pumicite would then be stripped, loaded into haul trucks, and sold as aggregate prior to the extraction of the pumice product. The remaining 6-8 feet of subsoil and weathered overburden will continue to be segregated from the topsoil and will be placed in the previously designated overburden stockpiles for use in reclamation.

The removal and sale of the pumicite overburden as aggregate will reduce the post-mining surface elevations by approximately 30-35 feet. There will be no increase in the daily production rate of pumice or in the annual rates of reclamation at the Rocky Mountain Mine. Maximum land use will remain at ≈ 349 acres and there will be no change to mine's current footprint. Pumicite overburden will be mined from ≈ 231.5 acres in the BLM-East parcel. The remaining acreage is not believed to contain pumice, and would continue to be used for stockpiling topsoil, overburden, and marketable material prior to reclamation as outlined in CRM's existing closeout plan. Consistent with the closeout plan in the current Mine Permit RA004RE, reclamation will remain contemporaneous throughout all mine blocks. CRM does not anticipate changing any part of the closeout/reclamation schedule contained in the current permit; and therefore, does not anticipate making any changes to the financial assurance for the current closeout plan at this time.

The AQB has no objection to the current request for permit modification to extract and sell overburden aggregate consisting of pumicite from the Rocky Mountain Mine.

Air Quality Requirements

The New Mexico Mining Act of 1993 states that "Nothing in the New Mexico Mining Act shall supersede current or future requirements and standards of any other applicable federal or state law." Thus, the applicant is expected to comply with all requirements of federal and state laws pertaining to air quality. Current requirements which may be applicable in this mining project include, but are not limited to the following:

20.2.15 NMAC, *Pumice, Mica and Perlite Processing*. Including 20.2.15.110 NMAC, *Other Particulate Control*: "The owner or operator of pumice, mica or perlite process equipment shall not permit, cause, suffer or allow any material to be handled, transported, stored or disposed of

or a building or road to be used, constructed, altered or demolished without taking reasonable precautions to prevent particulate matter from becoming airborne.”

Subsection A of 20.2.72.200 NMAC, *Application For Construction, Modification, NSPS, And NESHAP - Permits And Revisions*, states that: “Permits must be obtained from the Department by:

(1) “any person constructing a stationary source which has a potential emission rate greater than 10 pounds per hour or 25 tons per year of any regulated air contaminant for which there is a National or New Mexico Ambient Air Quality Standard. If the specified threshold in this subsection is exceeded for any one regulated air contaminant, all regulated air contaminants with National or New Mexico Ambient Air Quality Standards emitted are subject to permit review. . .”; and

(3) “Any person constructing or modifying any source or installing any equipment which is subject to 20.2.77 NMAC, *New Source Performance Standards*, 20.2.78 NMAC, *Emission Standards for Hazardous Air Pollutants*, or any other New Mexico Air Quality Control Regulation which contains emission limitations for any regulated air contaminant;”

Also, Paragraph (1) of Subsection A of 20.2.73.200 NMAC, *Notice of Intent*, states that:

(1) “Any owner or operator intending to construct a new stationary source which has a potential emission rate greater than 10 tons per year of any regulated air contaminant or 1 ton per year of lead shall file a notice of intent with the department.”

The above is not intended to be an exhaustive list of all requirements that could apply. The applicant should be aware that this evaluation does not supersede the requirements of any current federal or state air quality requirement.

Fugitive Dust

Fugitive dust is a common problem at mining sites. The AQB does not regulate fugitive dust; however, we do recommend controls to minimize emissions of particulate matter from fugitive dust sources. The following control strategies can be included in a comprehensive facility dust control plan (from EPA’s *Compilation of Air Pollutant Emission Factors, AP-42*):

Unpaved haul roads and traffic areas: paving of permanent and semi-permanent roads, application of surfactant, watering, and traffic controls, such as speed limits and traffic volume restrictions.

Paved roads: covering of loads in trucks to eliminate truck spillage, paving of access areas to sites, vacuum sweeping, water flushing, and broom sweeping and flushing.

Material handling: wind speed reduction and wet suppression, including watering and application of surfactants (wet suppression should not confound track out problems).

Bulldozing: wet suppression of materials to “optimum moisture” for compaction.

Scraping: wet suppression of scraper travel routes.

Storage piles: enclosure or covering of piles, application of surfactants.

Miscellaneous fugitive dust sources: watering, application of surfactants or reduction of surface wind speed with windbreaks or source enclosures.

The AQB or the US Environmental Protection Agency may implement requirements, regulations and standards for the control of fugitive dust sources in the future. This written evaluation does not supersede the applicability of any forthcoming state or federal regulations.

If you have any questions, please contact me at (505) 476-4317.

From: [Gallegos, Anthony](#)
To: [Crosley, Davena, EMNRD](#)
Cc: [Sarah Schlanger](#); [Bradley Higdon](#); [Shannon Hoefeler](#); [Joel Hartmann](#); [David Mankiewicz](#)
Subject: Comments on CR Minerals Rocky Mtn. Mine Modification 16-1
Date: Thursday, May 19, 2016 9:46:50 AM

Dear Ms. Crosley:

The BLM Farmington Field Office (FFO) has reviewed the submission titled "Permit RA004RE Request For Modification 16-1 Rocky Mountain Mine" dated February 29, 2016 prepared by Permits West, Inc. on behalf of CR Minerals Company, LLC. This document was received electronically by our office on February 29, 2016 and by hard copy on April 5, 2016.

These mining activities are located within the BLM Taos Resource Area; however solid mineral activities are currently being reviewed through the BLM Farmington Field Office (FFO) in coordination with the Taos Field Office.

We have reviewed this submission as modification to the existing 2011 Mining and Reclamation Plan permitted as a salable mineral operation for pumice under BLM Serial Number NMNM128585. We have reviewed the modification for consistency with the Mineral Materials Disposal regulations at 43 CFR 3600. Based on our review, we have the following comments and clarifications:

1. BLM has been in contact with CR Minerals discussing the use of overburden material as a new "pumicite" product. This new product will require a new and separate mineral materials contract with the BLM.
2. The use of overburden as a salable pumicite product will not change the disturbed area currently proposed and permitted for this operation, therefore, the current financial assurance for final reclamation being held by MMD is considered adequate.
3. The proposed modification does not change the final reclamation requirements. The operator has not requested a variance from reclamation treatments required under the current permit. This modification would affect the quantity of overburden material for use in backfilling and regrading the disturbed area. The change in final reclamation due to this modification would be a lower elevation of the final reclaimed surface.
4. This modification does not alter the mine life or mine sequence.
5. Barring any unforeseen issues or comments this modification does not include significant impacts outside of the previously approved 2011 Environmental Assessment and may not warrant new EA-level review to comply with NEPA. A Determination of NEPA Adequacy (DNA) is currently being considered by BLM for this modification.

Please contact me if you have any questions regarding these comments.

Thank you,
Tony

--

Anthony A. Gallegos
Mining Engineer

Bureau of Land Management
Farmington Field Office
6251 College Blvd., Suite A
Farmington, NM 87402

Phone: 505.564.7723
Fax: 505.564.7608

Email: agallegos@blm.gov

From: [Roth, Daniela, EMNRD](#)
To: [Crosley, Davena, EMNRD](#)
Subject: RE: Rocky Mountain Mine Modification 16-1 application
Date: Tuesday, April 19, 2016 3:11:54 PM

Dear Davena Crosley:

Thank you for giving me the opportunity to review and comment on the Rocky Mountain Mine updated closeout plan, modification 16-1 (Permit RA004RE). The modification of the permit is not anticipated to change potential impacts from the mining operation on state listed endangered plants. However, there are two State listed endangered plant species known to occur in Rio Arriba County of New Mexico (Brack's hardwall cactus, *Sclerocactus cloverae* ssp. *brackii*, and Great Plains ladies tresses, *Spiranthes magnicamporum*). These plants were not addressed in the original 2010 plant survey report. I highly recommend analyzing the project area for potential habitat. If habitat is found suitable for these species, I highly recommend performing clearance surveys for these species at the appropriate time of year. In addition, 16 rare plant species are listed with a potential to occur in the mine area, 2 of which were found to have suitable habitat, but were not found during 2010 surveys (Taos milkvetch, *Astragalus puniceus* var. *gertrudis*, and Pagosa phlox, *Phlox caryophylla*). Surveys were done well out of season for finding these species and are therefore not valid. Out of season survey results should not be used to analyze potential impacts on rare plants.

Please let me know if I can be of further help.

Daniela Roth

BOTANY PROGRAM COORDINATOR
EMNRD-Forestry Division
1220 S. St. Francis Dr.
Santa Fe, NM 87505
(505)476-3347 (Phone)
(505)476-3330 (Fax)
<http://www.emnrd.state.nm.us/SFD/>

From: [cuddy, alan, OSE](#)
To: [Crosley, Davena, EMNRD](#)
Cc: [Johnson, Mike S., OSE](#)
Subject: Rocky Mountain Mine, Permit RA004RE, Modification 16-1
Date: Tuesday, April 05, 2016 1:09:23 PM

Davena,

On April 4, 2016, the Hydrology Bureau of the Office of the State Engineer received a *Request for Comments on Updated Closeout Plan, Modification 16-1, Permit RA004RE, Rocky Mountain Mine* submitted by CR Minerals Company, LLC. The project, located in Sections 33 and 34, T. 21N, R. 7E, seeks to mine and sell pumicite overburden, currently being stockpiled as part of the pumice mining operations, as aggregate. The removal and sale of the overburden will reduce post-mining surface elevations by 30 - 35 feet. No changes will be made to the overall land use.

No water is used in the current mining operations, nor is any water use planned in the proposed modifications. The mining operations do not encounter any groundwater due to the depth to water near the operations.

Based on the absence of any mine dewatering or water use in the operations, the Hydrology Bureau does not identify any issues or concerns associated with this project.

If you have any further questions or comments, please contact me.

Alan

Alan S. Cuddy
Hydrology Bureau
Office of the State Engineer
P.O. Box 25102
Santa Fe, NM 87504-5102
Phone: (505) 476-7400
Fax: (505) 476-0220
alan.cuddy@state.nm.us



Herman G. Honanie
CHAIRMAN
Alfred Lomahquahu Jr.
VICE-CHAIRMAN

April 18, 2016

Fernando Martinez, Director, Mining and Minerals Division
Attention: Davena Crosley
New Mexico Energy, Minerals, and Natural Resources Department
1220 South St. Francis Drive
Santa Fe, New Mexico 87505

Dear Mr. Martinez,

This letter is in response to your two correspondences dated April 4, 2016, regarding (1) an Application for Modification 16-1 for Rocky Mountain Mine near Espanola from CR Minerals Company LLC, Permit No. RA004RE, to change the close-out plan, and (2) an Application for Modification 16-1 for El Grande Mine near Tres Piedras from Discaperl Minerals Corporation, Permit No. TA002RE, to change the close-out plan and permit the disposal of perlite waste originating from the Dicaperl Socorro Mine at the El Grande Mine.

The Hopi Tribe claims cultural affiliation to prehistoric cultural groups in New Mexico. The Hopi Cultural Preservation Office supports identification and avoidance of prehistoric archaeological sites and Traditional Cultural Properties, and we consider the archaeological sites that are habitations of our ancestors to be "footprints" and Hopi Traditional Cultural Properties. Therefore, we appreciate the New Mexico Energy, Minerals, and Natural Resources Department, Mining and Minerals Division (MMD)'s continuing solicitation of our input and your efforts to address our concerns.

The Hopi Cultural Preservation Office is interested in consulting on any proposal in New Mexico with the potential to adversely affect prehistoric sites. In the enclosed letter dated February 24, 2015, regarding Application for Modification 14-1 for the El Grande Mine, Dicaperl Minerals Corps. Permit No. TA002RE, we stated we have previously conveyed our recommendation that the New Mexico Energy, Minerals, and Natural Resources Department require cultural resource surveys of the project areas it permits, so that it can determine if the undertakings it permits may adversely affect cultural resources significant to the State of New Mexico, the United States, and the Hopi Tribe.

Your correspondences state that you are offering to consult with us

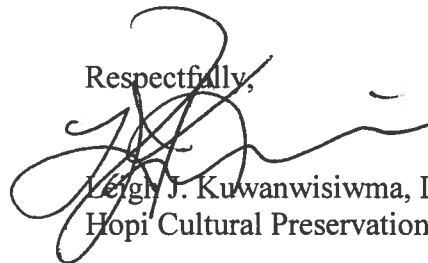
to identify traditional cultural or religious properties that you would like MMD to take into consideration before making a final determination on the close out plan... We would like to obtain more specific information on the location of these traditional properties. This information is important to us to evaluate potential impacts and work toward developing avoidance, or protection, options.

Hopi Traditional Cultural Properties include mountains such as the San Francisco Peaks and Mount Taylor, our ancestral archaeological sites, artifacts and human remains, and rockpiles that may be shrines, offering places, and trail markers. Therefore, when requested to identify traditional cultural or religious properties that we would like to taken into consideration during government-to government consultations, we routinely request a copy of the cultural resources survey of the area of potential effect. This more specific information on the location of historic properties is important to us to identify sites and potential impacts. Without cultural resources surveys or a traditional cultural properties survey we are unable to determine if proposals may affect cultural resources significant to the Hopi Tribe.

Therefore, in response to your request on how we would like to proceed with consultations, in cases where MMD is permitting mining operations on private land where MMD asserts cultural resources surveys are not required of proponents, we hereby will request field trips to the project areas, sponsored by MMD and the project proponents, to identify traditional cultural or religious properties that we would like MMD to take into consideration before making determinations.

Should you have any questions or need additional information, please contact Terry Morgart at tmorgart@hopi.nsn.us. Thank again you for your consideration.

Respectfully,



Leigh J. Kuwanwisiwma, Director
Hopi Cultural Preservation Office

Enclosures: February 24, 2015 letter
xc: New Mexico State Historic Preservation Office



Herman G. Honanie
CHAIRMAN

Alfred Lomahquahu Jr.
VICE-CHAIRMAN

February 24, 2015

Fernando Martinez, Director, Mining and Minerals Division
Attention: David Otori
New Mexico Energy, Minerals, and Natural Resources Department
1220 South St. Francis Drive
Santa Fe, New Mexico 87505

Re: Application for Modification 14-1, El Grande Mine, Taos County
Dicaperl Minerals Corps. Permit No. TA002RE

Dear Mr. Martinez,

This letter is in response to your correspondence dated February 10, 2015, regarding a submittal from Dicaperl Minerals Corps. to update the El Grande Mine closeout plan. The Hopi Tribe claims cultural affiliation to earlier identifiable cultural groups in New Mexico. The Hopi Cultural Preservation Office supports identification and avoidance of prehistoric archaeological sites and Traditional Cultural Properties, and we consider the archaeological sites that are habitations of our ancestors to be "footprints" and Hopi Traditional Cultural Properties. Therefore, we appreciate your continuing solicitation of our input and your efforts to address our concerns.

The Hopi Cultural Preservation Office has stated that we are interested in consulting on any proposal in New Mexico with the potential to adversely affect prehistoric sites. We are not aware of any Hopi Traditional Cultural Properties in this project area. However, we have previously conveyed our recommendation that the New Mexico Energy, Minerals, and Natural Resources Department require cultural resource surveys of the project areas it permits, so that it can determine if the undertakings it permits may adversely affect cultural resources significant to the State of New Mexico, the United States, and the Hopi Tribe.

In addition, we recommend that if any cultural features or deposits are encountered during project activities, these activities must be discontinued in the immediate area of the remains, and the State Historic Preservation Office must be consulted to evaluate their nature and significance. If any Native American human remains or funerary objects are discovered during construction they shall be immediately reported as required by law.

Should you have any questions or need additional information, please contact Terry Morgart at tmorgart@hopi.nsn.us. Thank again you for your consideration.

Respectfully,

LSI

Leigh J. Kuwanwisiwma, Director
Hopi Cultural Preservation Office

xc: New Mexico State Historic Preservation Office

RECEIVED

MAY 04 2016

SANTA CLARA

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(505) 753-5375 Fax



INDIAN PUEBLO

ESPANOLA, NEW MEXICO
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OFFICE OF GOVERNOR

May 3, 2016

Via e-mail (fernando.martinez@state.nm.us) and hand-delivery

Fernando Martinez
Director
Mining and Minerals Division
New Mexico Energy, Minerals, and Natural Resources Department
Wendell Chino Building, Third Floor
1220 South St. Francis Drive
Santa Fe, NM 87505

Re: ***Application for Modification 16-1, Rocky Mountain Mine, CR Minerals Company, LLC,
Permit No. RA004RE***

Dear Director Martinez:

Thank you for your letter dated April 4, 2016 seeking Santa Clara Pueblo's input regarding CR Minerals Company, LLC's above-referenced application for permit modification 16-1 for the Rocky Mountain Mine ("permit modification application") and offering to consult with the Pueblo. Santa Clara Pueblo, through its Tribal Historic Preservation Office ("THPO"), would very much appreciate the opportunity to meet directly with you and your staff regarding the permit modification application since it addresses extracting and selling overburden aggregate consisting of pumicite from the Rocky Mountain Mine at a location (the BLM-East parcel) that is contiguous to Santa Clara Pueblo lands. In addition, we hope to open a dialogue about how best to ensure that Santa Clara Pueblo receives notice of all applications that may be of interest to us and to discuss how you, as the Director of the New Mexico Mining and Minerals Division, can exercise the discretion granted you under the regulations for the New Mexico Mining Act to include the Santa Clara Pueblo THPO whenever you are able to include "other agencies" for reviews in accordance with the New Mexico Mining Act. We have seen in the regulations a number of times when "other agencies" may be included at your discretion. Our THPO was recognized by the Department of Interior in October of 2014 and has assumed the responsibilities of the State Historic Preservation Officer for our own Tribal Lands in accordance with the National Historic Preservation Act so having such a dialogue with you is timely.

Mr. Martinez

May 3, 2016

Application for Modification 16-1, Rocky Mountain Mine, CR Minerals Company, LLC, Permit No. RA004RE

Page 2

Your April 4 letter indicates that CR Minerals is seeking a change in its closeout plan but we understood the permit modification application to be broader in scope (to include a change in operations, not just in closeout). It would be helpful when meeting with you and your staff to get a better sense from you as to what the scope of the application actually is, in your view, and what the scope of your ability is to make determinations related to the permit modification application.

Santa Clara Pueblo does have concerns regarding the effect the proposed change in operations could have on increasing dust emissions and other air pollutants from increased vehicle or equipment traffic in the additional hauling of the pumicite. The Pueblo also is concerned about the nature and extent to which the increased hauling operations could increase noise, and further impact the integrity of Santa Clara Pueblo cultural activities nearby.

We are not at liberty to share any exact locations of Traditional Cultural Properties very close to the mine but we are in the process of preparing a map to bring to a meeting with you which will generally indicate buffer zones where some essential areas of profound traditional, spiritual, and cultural importance are in relationship to the Pueblo's shared border with the mine. As you may know, Traditional Cultural Properties encompass far more than traditional archaeological sites to include ceremonial sites, natural features, ethno-botanical or artisan material gathering sites, and traditional subsistence features. Certain religious practitioners and other members of our Pueblo do have to access some areas close to the mine for ceremonial purposes at various times of the year, and we want to ensure that their experience can remain a holy one, undisturbed by large quantities of dust or the noise of heavy equipment.

We cannot always predict the exact time when pilgrimages must be made to certain areas although in general many more cultural activities occur during certain winter months. We are hopeful there may be a way to work with you and the mine to allow for operations to be temporarily curtailed during certain times of religious ceremonies if we are able to give sufficient notice. In most cases, we may be able to give notice of the need for the ceremony within a 24 hour time frame.

In addition, we would like to discuss how best to preserve the viewshed and how viewshed protection has been and can be integrated into concurrent reclamation activities. Our religious practitioners are already exposed to upsetting views of the mining disturbance when traveling near our mutual border with the mine. In addition, Santa Clara Pueblo's traditional aboriginal use areas include Chicoma Mountain, Clara Peak, and Cerro Roman, so the Pueblo cares deeply about the integrity of all of these places. The viewshed from these points is already profoundly disturbed by the mine activities but we need to all find a way to work together to heal the area as best we can.

Please contact Ben Chavarria, Tribal Historic Preservation Officer and Director, Santa Clara Pueblo Office of Rights Protection, via e-mail at bchavarria@santaclarapueblo.org or telephone (505-692-6285), to set up a time to continue this dialogue. We hope such a meeting can occur very soon so our views can be factored into your decision-making process on the permit modification application. Thank you again for your outreach to Santa Clara Pueblo.

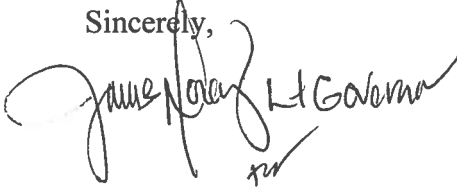
Mr. Martinez

May 3, 2016

Application for Modification 16-1, Rocky Mountain Mine, CR Minerals Company, LLC, Permit No. RA004RE

Page 3

Sincerely,

A handwritten signature in black ink, appearing to read "J. Michael Chavarria". The signature is fluid and cursive, with a large initial "J" and "M". There is a small mark below the signature that looks like "xw".

J. Michael Chavarria
Governor

cc via e-mail only:

Ben Chavarria, Director, Santa Clara Pueblo Office of Rights Protection and THPO
Dominic Gachupin, Director, Santa Clara Pueblo Office of Intergovernmental and Public
Affairs
Joseph Chavarria, Tribal Administrator
Jessica Aberly, Esq.